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through partnership

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**MEMO ENDORSED:**

Plaintiff's request for a stay (Dkt. No. 117) is denied.

December 7, 2021

SO ORDERED.

Paul G. Gardephe  
United States District Judge  
Dated: December 9, 2021

**VIA ECF**

Hon. Paul G. Gardephe  
United States District Court Judge  
40 Foley Square, Room 2204  
New York, NY 10007

**Re: *Pindell v. N’Namdi et al.*, Case No. 1:20-cv-00818-PGG (S.D.N.Y.)**

Dear Judge Gardephe:

My firm represents the N’Namdi Defendants<sup>1</sup> in the above-captioned action and we are writing in response to the letter submitted by Plaintiff’s counsel on December 7, 2021 requesting that “the Court stay all proceedings until April 30, 2022.” (ECF No. 117.) In the letter, Plaintiff’s counsel contends that a “stay would permit the parties to cross the finish line in negotiations ... if in fact the N’Namdi defendants were engaged in good faith negotiations and not a litigation tactic.” (*See id.*)

Respectfully, there is no question that the N’Namdi Defendants have acted in “good faith” and made significant efforts in an attempt to resolve this matter by negotiated settlement; however, to date, a settlement between the parties has not been reached.

In light of the foregoing, the N’Namdi Defendants do not agree to the request that the Court stay all proceedings until April 30, 2022 and respectfully submit that Plaintiff has not made—or even attempted to make—the requisite showing for a stay. The N’Namdi Defendants respectfully submit that there is no basis for a stay and request that the Court proceed with considering and issuing a decision on their pending Motion to Dismiss the Second Amended Complaint. (ECF Nos. 74-76.)

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ Jonathan P. Gordon  
Jonathan P. Gordon

cc: All Counsel of Record via ECF

<sup>1</sup> The N’Namdi Defendants include George Richard N’Namdi, Jumaane N’Namdi, George N’Namdi Galleries, Inc., N’Namdi Center for Contemporary Art, G.R. N’Namdi Gallery New York, LLC, and N’Namdi Contemporary Fine Art, Inc.